



Ninety-Ninth Legislature - First Session - 2005
Committee Statement
LB 114

Hearing Date: February 1, 2005

Committee On: Education

Introducer(s): (Byars, Combs, Cunningham, Erdman, Howard, Jensen, Price, Stuhr)

Title: Change eye examination provisions for kindergarten enrollment

Roll Call Vote – Final Committee Action:

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

7	Yes	Senators Byars, Howard, Kopplin, McDonald, Raikes, Schrock, and Stuhr
0	No	
0	Present, not voting	
1	Absent	Senator Bourne

Proponents:

Senator Dennis Byars
LeAnna McDonald
Ellen Weiss
Virgil Horne
Brian Hale
David Buntain
Brian Bauer

Representing:

Introducer
Nebraska Optometric Association
Nebraska Optometric Association
Lincoln Public Schools
Nebraska Association of School Boards
Nebraska Medical Association
concerned parent

Opponents:

Rita Swan

Representing:

Children's Healthcare Is a Legal Duty

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 114 would amend § 79-214 by requiring a visual evaluation by a physician or optometrist within 6 months prior to entrance into the beginner grade beginning with the 2005-06 school year. The evaluation would be required to consist of testing for amblyopia, strabismus, and internal and external eye health with testing sufficient to determine visual acuity. The evaluation would also be required for students transferring from out of state, regardless of the

grade being entered. Parents and guardians would be able to avoid the evaluation by objecting in writing. The cost of the evaluation would be borne by the parent or guardian. The provisions mirror those for physical examinations already required in § 79-214, except that physical examinations are also required to enter the 7th grade.

Section 79-220 would be amended by adding visual evaluations to the notice requirement for the right to submit a written statement of refusal. The section currently applies to required physical examinations and immunizations.

Explanation of amendments, if any:

The Committee Amendments would delay implementation of the measure until the 2006-07 school year and allow physician assistants and advanced practice registered nurses to administer the visual evaluations. Physician assistants and advanced practice registered nurses are currently authorized to administer the required physical examinations.

Senator Ron Raikes, Chairperson